

REMARKS

Claims 1-30 were examined in the Final Office Action mailed on 02/12/2007 (hereafter "First Final Office Action"). All the presented claims were finally rejected. Claims 1-30 are respectfully presented for reconsideration in view of the below remarks.

Claim Rejections 35 U.S.C. § 103

Claims 1-9,11-19,21-29 were rejected under 35 U.S.C, 103(a) as being unpatentable over US Patent Number 6,618,745 issued to Christensen *et al* (hereafter Christensen) in view of US Patent Number 6,085,227 issued to Edlund *et al* (hereafter Edlund).

Applicants respectfully traverse. As a basis for the traverse, Applicants assert that the Examiner has not established a prima facie case under 35 U.S.C. § 103 at least for the following reasons:

1. Christensen and Edlund, either individually or in combination, do not teach or reasonably suggest one or more features of each independent claim; and
2. Even if all the features are taught or reasonably suggested, there is insufficient motivation to combine the references in a manner to render obvious the independent claims.

For example, previously presented independent claim 1 recites:

A method of ***providing a connection between a first device and a second device*** contained in a process automation system, said process automation system also containing a host controller designed to control operation of said first device and said second device, wherein ***each of said first device and said second device is implemented as a separate physical unit from said host controller***, said method comprising:

establishing said connection between said first device and said second device;

storing in a third device a first plurality data elements necessary for re-establishing said connection;

receiving from said second device a second data element when said second device is reinitialized, wherein said second data element is contained in said device after said second device is reinitialized; and

reestablishing said connection between said first device and said second device after said reinitialization by modifying at least one parameter value in at least one of said first device and said second device based on said first plurality of data elements and said second data element.

(Previously Presented Independent Claim 1, ***Emphasis Added***)

From the above, it may be appreciated that claim 1 recites at least the below features:

F1. Establishing a connection between a first device and a second device, with the devices being implemented as separate physical units from a host controller;

5 F2. Data elements needed for reestablishing the connection between the two devices are stored in a third device; and

F3. Reestablishing the connection between the two devices using the stored data elements after the second device is reinitialized.

The Examiner concedes that Christensen does not teach or reasonably suggest feature F1 noted above. See page 3 lines 8-13 of the First Final Office Action.

10 Edlund does not cure that deficiency (contrary to the assertion in the First Final Office Action). In particular, Edlund neither discloses nor reasonably suggests establishing a connection between two remote devices, even assuming that the remote devices of Edlund are akin to the claimed first and second devices.

In this regard, it was stated:

15 ... (Figure 1 illustrates a system comprising a network with ***a network 100 that couples remote field devices such as 106***. A plurality of remote devices are possible, although illustration only shows one. Said devices are in a different physically location than the remote device they control, COL, 2, lines 39 -67)...
(Page 3 line 19 to Page 4 line 1 of the First Final Office Action, ***Emphasis Added***)

20 Therefore, it is believed that the Examiner is asserting that the mere presence of a communication path by virtue of network 100 in Figure 1 of Edlund is sufficient to teach or suggest the establishment of a connection between two remote devices.

Applicants respectfully disagree.

25 In general, the requirements of operation of the various systems/devices in an environment control the specific connection established. It is Applicant's position that there is no motivation in Edlund to establish connections between two remote devices.

In support of the position, the Examiner's attention is directed to the below portions of Edlund:

A method, apparatus, and article of manufacture ***for operating remote devices over wide area networks such as the Internet***. The system includes ***client computers for interacting with users to accept commands and display results***, a proxy server computer for performing intermediate processing of commands and results, and a ***device server computer coupled to the remote device that executes the commands and generates the results***.

(Abstract of Edlund, ***Emphasis Added***)

From the above, it is apparent that the teachings of Edlund are directed to operating remote devices over networks. From client computers connected to a network, users can issue commands to remote devices and view results.

The rest of the disclosure of Edlund is believed to be consistent with such a purpose and operation.

From an appreciation of the above, it is concluded that Edlund would not have the motivation to teach or suggest establishing connection between remote devices such as 106 of Figure 1.

Even assuming arguendo that the feature is somehow taught or reasonably suggested by Edlund, it is Applicants position that the there is insufficient motivation to modify Christensen in a way to render obvious the invention of claim 1.

In that regard it was stated in the First Final Office Action, "One of ordinary skill in the art would have been motivated to use the network of Ediund in the system of Christensen as it provides a cost effective means of connecting remote device and provide a central controller, COL. 2, lines 30 -36." (Page 4 lines 4-6 of the First Final Office Action).

The Examiner does not establish how the respective goals of "cost effectiveness" and "central" would motivate one skilled in the relevant arts to make the modifications so as to provide connection between two devices and reestablish the connection, as claimed.

At least for one or more of the reasons noted above, the Examiner has not met the burden of establishing a prima facie case.

Accordingly, previously presented claim 1 is allowable over the art of record. Withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

5 Dependent claims 2-10 are allowable at least as depending from allowable base claim 1.

Previously presented independent claim 11 is also allowable at least for some of the reasons given above in reciting:

10 A computer readable medium carrying one or more sequences of instructions for causing a control station to ***provide a connection between a first device and a second device*** contained in a process automation system, said process automation system also containing a host controller designed to control operation of said first device and said second device, wherein ***each of said first device and said second device is implemented as a separate unit from said host controller***, wherein
15 execution of said one or more sequences of instructions by one or more processors contained in said control station causes said one or more processors to perform the actions of:

storing a first plurality data elements necessary for re-establishing said connection;

20 receiving from said second device a second data element when said second device is reinitialized, wherein said second data element is contained in said second device after said second device is reinitialized; and

reestablishing said connection by modifying at least one parameter value in at least one of said first device and said second device based on said first plurality of
25 data elements and said second data element.

(Previously Presented Independent Claim 10, ***Emphasis Added***)

Dependent claims 12-20 are allowable at least as depending from allowable base claim 11.

30 Amended independent claim 21 is also allowable at least for some of the reasons given above in reciting:

 A system facilitating ***a connection to be provided between a first device and a second device***, said first device and said second device being contained in a process automation system, said process automation system also containing a host controller

designed to control operation of said first device and said second device, wherein ***each of said first device and said second device is implemented as a separate unit from said host controller***, said system comprising:

means for ***establishing said connection between said first device and said second device***;

means for ***storing a first plurality data elements necessary for re-establishing said connection***;

means for receiving from said second device a second data element when said second device is reinitialized, wherein said second data element is contained in said device after said second device is reinitialized; and

means for ***reestablishing said connection between said first device and said second device*** after said reinitialization by modifying at least one parameter value in at least one of said first device and said second device based on said first plurality of data elements and said second data element.

(Previously Presented Independent Claim 21, ***Emphasis Added***)

Dependent claims 22-30 are allowable at least as depending from allowable base claim 21.

Claim Rejections 35 U.S.C. § 103

Claims 10,20, and 30 were rejected under 35 U.S.C, 103(a) as being unpatentable over Christensen in view of Edlund and in further view of US Application Number US2002/0083364 issued to Christensen *et al.* The rejections are rendered moot as the base claim are allowable over the art of record as noted above.

Conclusion

Thus, all the objections and rejections are believed to be overcome and the application is believed to be allowable over the art of record. The Examiner is respectfully requested to withdraw the final rejection and continue examination. The Examiner is invited to telephone Mr. Tony Miologos at 602-313-5683 if it is believed that an interview might be useful for any reason.

Respectfully submitted,
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Signature

Date: April 12, 2007

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